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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,534	02/11/2004	Dan Kalish	7044-X08-194	5140

27317 7590 12/19/2008
Fleit Gibbons Gutman Bongini & Bianco PL
21355 EAST DIXIE HIGHWAY
SUITE 115
MIAMI, FL 33180

EXAMINER

FAN, HUA

ART UNIT	PAPER NUMBER
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2456

MAIL DATE	DELIVERY MODE
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12/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary (For use in the First Action Interview Pilot Program)	Application No.	Applicant(s)	
	10/777,534	KALISH, DAN	
	Examiner	Art Unit	Page 1 of 4
	HUA FAN	2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH. This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

☒ Applicant's request to not have a first-action interview is acknowledged.

Status

- 1) ☒ Responsive to communication(s) filed on 12/2/2008 and interview conducted on ____.
- 2) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 3) ☒ Claim(s) 1-18 is/are pending in the application.
- 3a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 4) ☐ Claim(s) ____ is/are allowed.
- 5) ☒ Claim(s) 1-18 is/are rejected.
- 6) ☐ Claim(s) ____ is/are objected to.
- 7) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 8) ☒ The specification is objected to by the Examiner.
- 9) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

Contact Information

Examiner's Telephone Number: (571)270-5311
 Examiner's Typical Work Schedule: M-F 9am-6pm EST
 Supervisor's Name: Bunjob Jaroenchonwanit
 Supervisor's Telephone Number: (571) 272-3913

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Office Action Summary

Application No.

10777534

Applicant(s)

KALISH, DAN

Examiner

HUA FAN

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Notification of Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
1	none	none	Objection to Drawings	Fig. 3 and Fig. 4 are labeled for incorrect figures, they should switch with each other.
2	1, 5-10 and 13-17	none	Objection to Drawings	Features claimed, such as "rules" in claims 1, 5-7, and 13-17, "user preference" in claims 8-10 are not shown in Drawings
3	11	none	Object to Specification	The term "parsing" is not defined in specification therefore lacks antecedent basis. For examination purpose, examiner interprets as "choosing"
4	11	none	112(1)	"parsing" is not enabled, see objections to specification above
5	12	none	Objection to Claim	Minor informality needs to be corrected "can changed" to "can be changed"

Expanded Discussion/Commentary

DATE:
12/8/2008

/H. F./
Examiner, Art Unit 2456


BUN JOE JAROENCHONWATT
SUPERVISORY PATENT EXAMINER

U.S. Patent and Trademark Office
PTOL-413FA (Rev. 09-07)

First Action Interview Office Action Summary

Part of Paper No./Mail Date

Office Action Summary
(continued)

Application No.

10777534

Applicant(s)

KALISH, DAN

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Art Unit

2456

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#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
6	1	A, B	103(a)	Reference A discloses claim 1 (see fig.11A-B; col. 34, lines 45-48; col. 35, lines 27-41, merging images 1121 and 1123 to content layout elements according to rule (theme) in realtime before display; see col. 34, line 6, "wireless phones") (see cont' below)
7	2-3, 5-7 and 11-12	A, B	103(a)	Building on the rejection to claim 1, A-B discloses: claim 2 (A, col.30, lines 37-51); claim 3 (A, col.30, lines 27-31, "default theme layout"; col.35, lines 21-26, "static information stored with the theme"; col.30, lines 37-40 when no dynamic logic) (cont' below)
8	8 and 10	A, B, H	103(a)	A-B discloses retrieving skin image from designated remote server (A, fig.10, 1050; col.33, lines 11-30, "obtain content...from...external source... 1050") according to user preference (A, clm 33; col.7, lines 31-41), (cont' below)
9	9	A, B, H	103(a)	A-B discloses retrieving skin image from local stroage of wireless phone (A, fig.10, "Content"; col. 34, lines 1-7, "wireless phone") according to user preference (A, claim 33; col. 7, lines 31-41), (see cont. below)
10	13-17	A, B, H	103(a)	Building on the rejection of claim 10, A-B-H discloses: claim 13 (see A, col. 3, lines 62-66, "location signal"; col. 6, lines 28-35, "context model...geographic information (e.g., location and speed"; col. 34, lines 5-8, "wireless phone"); (see cont. below)

Expanded Discussion/Commentary

6	except for "hypertext language based pages ("content pages")" and "segmented skin image sections". B discloses segmented background image sections (col. 3, lines 21-37) and hypertext language based pages (col. 1, lines 23-30; col. 3, lines 7-11). It would have been obvious to apply reference B's segmented background image section and HTML method with reference A's teachings, in order to expand the banner to fit larger and/or higher resolution displays without using a separate GIF banner image for each targeted display type (see B, col. 2, lines 42-47).
7	claim 5 (B, col. 3, lines 32-43, merging image segments to content layout is performed by "the browser itself"); claim 6 (A, figure 12A-H; col. 6, lines 48-52, "user-specified"); claim 7 (A, col. 47, lines 5-7); claim 11 (A, col. 35, lines 30-37, map images are chosen based on content layout, to determine whether to display local map image or traffic map image); claim 12 (A, col. 19, lines 30-43, appropriate map image is displayed according to the selected predefined destination in the predefined layout/rule)
8	but does not disclose caching at remote system. H discloses retrieving web content from the cache memory of one of the designated remote servers (col. 4, lines 21-28). It would have been obvious to apply reference H's teaching of retrieving from cache of remote servers to teachings of A-B, in order for the data to be displayed on small screen devices in an efficient manner (H, col. 3, lines 42-45).
9	but does not expressly disclose the local stored contents are cached data. H discloses local caching (col. 4, lines 35-47, "retrieval data stored locally"; col. 3, lines 20-25, "Web browsers use a cache"; col. 4, lines 57-65, "small screen display device"). It would have been obvious to apply reference H's local caching system to A-B's teachings, in order to provide a faster response time for retrieving data than data stored in a remote cache (H, col. 4, lines 44-45)
10	claim 14 (see A, figure 11A-H, Starting the day theme, Drving to wrok theme, Arriving at work theme, etc); claim 15 (see A, col. 6, lines 37-40,); claim 16 (see A, figure 12A-H; col. 6, lines 48-52, "user-specified"; col. 34, line 6, "wireless phone"); claim 17 (see A, col. 47, lines 5-7)

DATE:
12/8/2008

Examiner Signature:

/H. F./

Examiner, Art Unit 2456

Primary Examiner Signature:

Office Action Summary (continued)	Application No. 10777534	Applicant(s) KALISH, DAN	
	Examiner HUA FAN	Art Unit 2456	Page 4 of 4

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
11	18	A, B, H	103(a)	Reference A discloses claim 18 (see citations of reference A in claim 1-2, and 8-9 rejections) except "image sections", "in response to a request received by a mobile phone", and "hyper text language based pages ("content pages")". (see cont. below)
12	4	A, B, I	103(a)	A-B does not disclose processed by Proxy Server. I discloses processing transcoding by a proxy server (figure 4). It would have been obvious to combine A-B and I regarding processing transcoding by a proxy server, (see continuation below)

Expanded Discussion/Commentary		
11		B discloses segmented background image section (col. 3, lines 21-37) and hypertext based pages (col. 1, lines 23-30; col. 3, lines 7-11). It would have been obvious to apply B's segmented image section and HTML method with A, see similar motivation in claim 1 rejection. H discloses "in response to a request received by a mobile phone (col. 4, lines 21-25, 56-65). It would have been obvious to combine A-B with the teachings of H regarding "in response to a request received by a mobile phone". See similar motivation in claim 8 and 10 rejections.
12		in order to alleviate thin client from performing transcoding locally (I, col. 2, lines 21-24).
DATE: 12/8/2008		Examiner Signature: /H. F./ Examiner, Art Unit 2456
		Primary Examiner Signature: